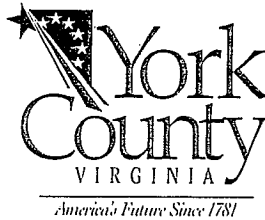


**BOARD CHAIR**

David A. Rolston

**BOARD VICE CHAIR**

Diane K. Short



**BOARD MEMBERS**

Adam A. Frisch  
Shirley Estes  
Jan W. Briede'

March 2, 2010

Charles Wornom  
Abbitt Management, Inc.  
734 Thimble Shoals Blvd.  
Newport News, VA 23606

RE: York County Wetlands Application 08-42, VMRC 08-1276 Oakmoore Subdivision

Dear Mr. Wornom:

On July 17, 2008, we received your application to construct a stormwater outfall along the shoreline of Lambs Creek for the Oakmoore subdivision. This stormwater outfall for a residential development in Poquoson would be in a York County drainage easement on the property of the Old Port Cove Homeowners Association. We have reviewed the application and determined the project WILL require a wetlands permit and a Chesapeake Bay Preservation Act (CBPA) buffer modification prior to construction, land disturbance or tree removal. I have also received a Natural Resources Inventory and a Water Quality Impact Assessment from Environmental Specialties Group.

The next York County Wetlands Board public hearing is scheduled for 6:00 p.m. on Thursday, April 8, 2010. The hearing will be held in the East Room on the first floor of York Hall at 301 Main Street in Yorktown's historical area. According to §23.1-7(c) of the County Code, a nonrefundable-filing fee of \$150.00 is required to cover the cost of advertising and processing. **This fee must be paid by March 15, 2010 for your application to be considered for the April 8th hearing.** Please submit payment to this office as soon as possible, either in person or by mail. The check should be made payable to "Treasurer, County of York."

It appears the Poquoson Wetlands Board issued a wetlands permit with conditions in August 2009. Although subdivision approval from the Poquoson Planning Department is still pending, your wetlands application for the stormwater outfall in York County will be forwarded to the York County Wetlands Board for review. The following items should be addressed:

1. County staff urges you to contact the Old Port Cove Homeowners Association (HOA) at OPCHA, P.O. Box 8027, Yorktown VA 23693 to discuss your project, respond to any of their concerns and garner their permission to work on their property. County staff and

March 2, 2010


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the Board will visit the site via Poquoson. Please be advised the Old Port Cove Homeowners' Association is being copied on this letter and all of the construction must be confined to the area of the easement.

2. The County Attorney has determined that you, the developer, can use the York County drainage easement provided the design of the stormwater outfall meets all of York County's design specifications and provided there is no objection or dispute raised by the Old Port Cove Homeowners Association.
3. The limits of the tidal wetlands and the improvements must be staked in the field for County verification and documentation. The stakes must be sufficient in number to determine the extent of the impact to wetlands.
4. Please clarify what type of Petraflex will be used to line the ditch and provide a planting schedule.

**Please submit the additional information, the application fee and have the project staked by March 31, 2010.** A staff visit is set for March 3, 2010 and a site visit by the Wetlands Board is scheduled for the afternoon of Wednesday, March 31, 2010. You will get a Site Inspection Schedule with the time of the Board visit by March 22, 2010. If you have any questions, please contact me at 890-3774 soon as possible.

Sincerely,



Anna Maria Drake

Manager of Environmental Programs

Copy to:      Environmental Specialties Group, Inc.  
                 Olde Port Cove Homeowner's Association  
                 Wetlands Program, VIMS  
                 Randy Owen, VMRC  
                 Wetlands Board & File  
                 Karen Holloway, City of Poquoson  
                 Jim Barnett, County Attorney